

a transport mechanism for transporting said bills in the direction of the narrow dimension of the bills, one at a time, from said input receptacle to a plurality of output receptacles, at a rate in excess of about 800 bills per minute; and

a discriminating unit for determining the denomination of each of said bills, said discriminating unit including a detector positioned along a transport mechanism path between said input receptacle and one of said a plurality of output receptacles for receiving and re-stacking said bills after being discriminated by said discriminating unit,

wherein said currency evaluating device has a height not exceeding about 17 $\frac{1}{2}$ inches, a width not exceeding about 13 $\frac{1}{2}$ inch and a depth not exceeding about 15 inches.--

REMARKS

Claims 1-22 are currently pending and new Claim 23 has been added. Claims 8, 11, 12 and 14 have been amended. Claims 8-10 and 12-15 were objected to as being dependent upon a rejected base claim. The Applicants have amended Claims 8, 12 and 14 to be independent claims that include the features from the claims from which they previously depended. Therefore, Claims 8, 12 and 14 are allowable. Claims which depend from these claims (Claims 9, 10, 13 and 15) are also allowable.

Claim 11 was rejected under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter. Claim 11 has been amended to be dependent on Claim 8, which obviates the insufficient antecedent basis asserted in the Office Action for the term "output signal." Therefore, Claim 11 is allowable because it depends from an allowable claim (Claim 8) as discussed above.

Claims 16-22 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claim 1 in U.S. Patent No. 5,295,196. The Applicants respectfully disagree but, in order to advance prosecution of the present application and to overcome the obviousness-type double patenting rejection, are enclosing herewith a Terminal Disclaimer in compliance with 37 C.F.R. §§ 1.321(b) and (c) signed by an Executive Vice President of the assignee of record.

Claims 1-7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over “Description Of Toshiba-Mosler CF-420 Device” (hereinafter “CF-420 device”) in view of “CPS 1200-Currency Systems International, Inc.” (hereinafter “CPS 1200 device”).

The Applicants respectfully traverse the rejection for at least the following reasons. First, the CPS 1200 device has listed dimensions including a height of 62 inches, a width of 36 inches, and a length of 156 inches. See page 4 of the applied CPS 1200 literature. The CF-420 device has listed dimensions including a height of 19.3 inches, a width of 13.8 inches, and a length of 14.5 inches. See page 5 of the applied CF-420 literature. The bill scanning and transporting operations of the CPS 1200 device would not physically fit within the CF-420 device as evidenced by the great discrepancies in the dimensions. Therefore, there would be no incentive for combining the bill scanning and transporting operations of the CPS 1200 device into the CF-420 device. In fact, there is a clear teaching away from such a combination.

Second, the CPS 1200 device does not transport the bills in the direction of the narrow dimension as the bills as recited, for example, in Claim 1. Rather, the CPS 1200 device transports the bills in the long dimension. See Declaration of Douglas Mennie, ¶3 (Exhibit A). Therefore, Claim 1 is not obvious over the CF-420 device, the CPS 1200 device, or any

combination thereof and, therefore, should be in condition for allowance. Claims 2-7, which depend either directly or indirectly on Claim 1, should also be allowable over the applied references alone or in any combination thereof.

New Claim 23 has been added and includes a feature in which the currency evaluating device has a height not exceeding about 17 ½ inches, a width not exceeding about 13 ½ inches, and a depth not exceeding about 15 inches. Support for the height, width and depth of the currency evaluating device may be found in the specification, for example, page 32, lines 1-4. New Claim 23 is not obvious over the CF-420 device, the CPS 1200 device, or any combination thereof for the same reasons as discussed with respect to Claim 1 and, therefore, should be allowable. Additionally, Claim 23 recites a feature in which the currency evaluating device does not exceed certain dimensions. As discussed above, the CPS 1200 device clearly exceeds all the recited dimensions of the currency evaluating device.

Conclusion

It is the Applicants' belief that all of the claims are now in condition for allowance, and action towards that effect is respectfully requested.

If there are any matters which may be resolved or clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at the number indicated.

Respectfully submitted,

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